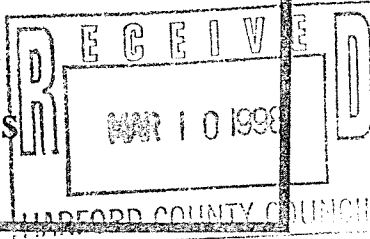


ZONING RECLASSIFICATION APPLICATION

Harford County Board of Appeals

Bel Air, Maryland 21014



Shaded Area For Office Use Only

Case No. 080
Date Filed 2/26/98
Hearing Date _____
Pre-Conf. _____
Receipt _____
Fee \$2120⁰⁰

Note

1. It is required that the applicant have a pre-filing conference with the Department of Planning and Zoning to determine the necessary additional information that will be required.
2. The burden of proof in any rezoning case shall be upon the Petitioner.
3. Any application in a zoning case and any amendment thereto shall contain specific allegations setting forth the basis for granting of the request.
4. Petition must contain names and addresses of all persons having legal or equitable interest in the property, including shareholders owning more than five percent (5%) of the stock in a corporation having any interest in the property, except those corporations listed and traded on a recognized stock exchange.
5. Application will be reviewed for completeness within ten (10) working days of submittal. Applicant will be notified by mail of completeness of application.

Petitioner

Name Clark Farm, LLC Phone Number _____ Call Attorney _____
Address 201 Rockspring Road Forest Hill MD 21047
Street Number Street State Zip Code
Property Owner same as above Phone Number _____
Address _____
Street Number Street State Zip Code
Contract Purchaser N/A Phone Number _____
Address _____
Street Number Street State Zip Code
Attorney/Representative John J. Gessner Phone Number 410-893-7500
Address 11 S. Main St., P.O. Box 1776 Bel Air MD 21014
Street Number Street State Zip Code

Hearing: 5/11/98

Land Description

Address and Location of Property (with nearest intersecting road) 1701 Grafton Shop Road

Subdivision _____ Lot Number 4 Acreage/Lot Size 161.48± Election District 3

Existing Zoning AG Proposed Zoning RR Acreage to be Rezoned 161,48± (all)

Tax Map No. 40 Grid No. 4D Parcel 20 55 Deed Reference 2611 1072 Liber Folio

Critical Area Designation N/A Land Use Plan Designation Low Intensity

Present Use and ALL improvements: partial agricultural use - farm house, 2 barns, small
accessory structures

Proposed Use (If for subdivision development, proposed number of lots, type of dwellings, and type of development.

Example: Conventional, Conventional with Open Space, Planned Residential Development) Single family
detached dwellings

Is the property designated a historic site, or does the property contain any designated or registered historic structures?

No If yes, describe: _____

Estimated Time Requested to Present Case: 45 minutes

Required Information To Be Attached

(Submit three (3) copies of each):

(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation.

(b) A statement of the grounds for the application including:

(1) A statement as to whether there is an allegation of mistake as to the existing zoning, and if so, the nature of the mistake and facts relied upon to support this allegation.

(2) A statement as to whether there is an

allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change.

(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion.

(d) A Concept Plan shall be submitted by the applicant at the time the application is filed. The Concept Plan shall illustrate the following:

(1) Location of site.

(2) Proposed nature and distribution of land uses, not including engineering drawings.

(3) Neighborhood (as defined by the Applicant).

ATTACHMENT A
FOR ZONING RECLASSIFICATION APPLICATION OF CLARK FARM, LLC.

The Zoning Reclassification Application requests the following information.

Petitioner's submission is as follows:

"(a) The names and addresses of all persons, organizations, corporations, or groups owning land, any part of which lies within five hundred (500) feet of the property proposed to be reclassified as shown on the current assessment records of the State Department of Assessments and Taxation."

Petitioner: See attachment A-1, List of Adjoining Property Owners.

"(b) A statement of the grounds for the application including:

"(1) A statement as to whether there is an allegation of mistake as to the existing zoning and, if so, the nature of the mistake and facts relied upon to support this allegation."

Petitioner: A mistake occurred in the legal sense when the subject property was zoned AG during the last Comprehensive Rezoning in 1989. The County Council erroneously assumed that the subject property should be zoned AG. As a result of development in the area, changes in the Master Plan, Master Water and Sewer Plan and other factors which have occurred since the last Comprehensive Rezoning in 1989, the property's AG zoning classification is no longer appropriate. The subject property should be rezoned RR.

"(2) A statement as to whether there is an allegation of substantial change in the character of the neighborhood, and if so, a precise description of such alleged substantial change."

Petitioner: Petitioner makes such an allegation. As a result of development in the area, changes in the Master Plan, Master Water and Sewer Plan and other factors which have occurred since the last Comprehensive Rezoning in 1989, the neighborhood has substantially changed.

"(c) A statement as to whether, in the applicant's opinion, the proposed classification is in conformance with the Master Plan and the reasons for the opinion."

Petitioner: The proposed classification is in conformance with the Master Plan.

"(d) A concept plan shall be submitted by the applicant at the time the application is filed. The concept plan shall illustrate the following:

1. Location of site;
2. Proposed general nature and distribution of land uses but need not include engineered drawings;
3. Neighborhood;
4. All surrounding zoning; and
5. Proposed public or private capital improvements.

Petitioner: See attachment A-2.

"(e) List previous rezonings and recommendations since the effective date of the Comprehensive Rezoning, within the neighborhood of the petitioned area, their case numbers, dates, and decisions."

Petitioner: None.

"(f) Map indicating woods, fields, streams, floodplains, non tidal wetlands, etc."

Petitioner: See Attachment A-3

"(g) Property deed, and a boundary survey prepared and sealed by a registered surveyor, including dimension of area requested to be rezoned if only a portion of the property."

Petitioner: See Attachments A-4 (Title Deed) and A-3

"(h) Private restrictions or covenants, if any, applicable to subject parcel."

Petitioner: None

"(i) Any agreements with individuals or associations in the neighborhood related to the proposed zoning shall be submitted."

Petitioner: None .

"(j) Availability of public water and sewer."

Petitioner: Private well and septic service are provided on the property.

Comprehensive Zoning Log

10/2/97

Issue #	Date	C P C	Tax ID #	Map #	Grid	Parcel #	Property owner	Property location	Acresage of parcel	Acresage to rezone	CZ	RZ	PAG	P-Z	C-C
B033	10-11-96	JJ	01050451	6512A	780		John & Barbara Jones	NS Rt. 7 E of Facer Rd.	1.31	1.31	R1	CI	LI	LI	LI
B034	10-11-96	JJ	01050443	6512A	832		John & Barbara Jones	608 Old Philadelphia Rd Joppe	1.18	1.18	R1	CI	LI	LI	LI
B035	10-11-96	JJ	01020943	6512A	22		Virginia Cate & David Evans	NS Rt. 7 N of Joppe	14.724	14.724	R1	CI	LI	LI	LI
B036	10-11-96	ARE	01019554	5612C	60		Ceddie Hornes (Haron Dahm)	W S Rt 24 Emmorton	48.045	46.545	R4 & R3	B3	R4	R4 & R3	R4
B037	10-11-96	F	03052591	5513D	171		William & Catherine McAllister	1813 Balair Rd S of Benson	122.33	21	AG	CI	AG	AG	2AG
B038	10-11-96	F	04082052	391D	38			1751 Morse Rd. E of Putnam	122.2	122.2	AG	RR	AG	AG & RR	RR
B039	10-11-96	F	04005201	391D	208			Morse Rd. E of Putnam	30	30	AG	RR	AG	AG	RR
B040	10-11-96	F	03063917	4813D	68			ES Watervale Rd. N of Fallston	114.377	114.377	AG	RR	AG	AG	RR & AG
B041	10-11-96	JJ	01027018	6513B	443			E S Oak Avenue	300 X 550	300 X 550	R1	B3	R1	R1	R1
B042	10-11-96	JJ	01027026	6513B	434			E S Oak Avenue	300 X 550	300 X 550	R1	B3	R1	R1	R1
B043	10-11-96	ARE	01188062	5613E	565, lot 1			2512 Laurel Bush Road	1.25	1.25	R1	R3	R1	R1	R1
B044	10-11-96	ARE	01188054	5613E	565, lot 2			2510 Laurel Bush Road	.50	.50	R1	R3	R1	R1	R1
B045	10-11-96	F	03174352	5514C	420		Len	3000 Bel Air Rd	5.009	5.009	AG	B3	AG	AG	AG
B046	10-11-96	F	03032249	5411E	11		Helen Breeden	1614 Laurel Brook Rd Fallston	47.8	47.8	AG	RR	AG	RR	AG
B047	10-11-96	F	03059936	4811A	14		Fallston Valley Farms (Joseph Diegel)	1415 Ryan Rd Fallston	139.3	139.3	AG	RR	AG	RR	RR
B048	10-11-96	F	03033643	5411E	12		Est. of Charles L. Canody	1600 Laurel Brook Rd	57.497	57.497	AG	RR	AG	RR	AG
B049	10-11-96	F	03055177	4812B	6		Herry & Ann O'Neill	1800 Angieside Rd Fallston	50.95	50.95	AG	RR	AG	RR	RR
B050	10-11-96	BF	03273423	4014D	55		Colgate Investments (Howard Klein)	1701 Grafton Shop Rd	161.477	161.477	AG	RR	AG	RR	RR
B051	10-11-96	F	03049671	4714E	224		Cornelia Lacoste	1717 Laurel Brook Rd	29	29	AG	RR	AG	RR	AG
B052	10-11-96	F	03052222	5411F	16		Wilton & Helen Martin, Angela Missa	2700 Laurel Brook Rd	172.22	56	AG	RR	RR	RR	RR
B053	10-11-96	F	04079140	3912A	135		George & Susan Thoupas	2226 Rutledge Rd	16.484	16.484	AG	RR	AG	AG	AG
B054	10-11-96	ARE	01030418	6111F	32		Vernon R. Patten	3029-31 Abington Rd	.96	.96	R2	B3	R2	R2	R2
B055	10-11-96	F	04004469	3813F	81		Hazel Bayne & Joanne Bayne Trutt	2352 Engle Rd Fallston	30.51	30.51	AG	RR	AG	AG	AG
B056	10-11-96	JJ	01005790	6113A	495		T. C. Simon (Robert Cooper)	2216-2218 Old Mountain Rd	1.651	1.651	AG	CI	AG	AG	AG